

AMENDED IN ASSEMBLY APRIL 27, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 690

Introduced by Assembly Member Washington

February 23, 1999

An act to ~~amend Section 65863.7 of the Government Code,~~
relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 690, as amended, Washington. Mobilehome parks :
study.

Under existing law, the Department of Housing and Community Development is authorized to make loans from the Mobilehome Park Purchase Fund to resident organizations to finance mobilehome park conversion costs and to low-income residents of mobilehome parks converted to resident ownership in order to encourage and facilitate the conversion of mobilehome parks to resident ownership and to protect low-income mobilehome park residents from physical and economic displacement.

This bill would require the department to conduct a study of mobilehome park closures, conversions, and changes of use, as specified, and to prepare and submit to the Legislature by July 1, 2000, a report on the results of this study.

~~(1) Existing law requires a person or entity converting a mobilehome park to another use, with certain exceptions, to file a report on the impact of the conversion, closure, or cessation of use upon the displaced residents with the local~~

~~legislative body or its delegated advisory agency for review. The legislative body or advisory agency may require as a condition of the change that the person or entity take steps, not to exceed the reasonable costs of relocation, to mitigate the adverse impact of the change in use upon the displaced residents.~~

~~This bill would require the legislative body or advisory agency to require, as a condition of the change in use, that the person or entity take steps to mitigate the adverse impact on the displaced mobilehome park residents and would define the reasonable costs of relocation to include the costs of removing, transporting, and reinstalling the resident's mobilehome at another site, as defined, and any security deposits or differences in rent required at the new site or the cost of purchasing the mobilehome, whichever is less. By expanding the duties of local legislative bodies, the bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 65863.7 of the Government~~
- 2 ~~SECTION 1. (a) The Department of Housing and~~
- 3 ~~Community Development shall conduct a study that~~
- 4 ~~addresses all of the following with respect to this state:~~
- 5 ~~(1) The number of mobilehome parks.~~

1 (2) *The annual number of mobilehome park closures,*
2 *conversions, and changes of use.*

3 (3) *The implementation at the local government level*
4 *of current state law regarding mobilehome park closures,*
5 *conversions, and changes of use.*

6 (4) *Past and present local government policy*
7 *regarding mobilehome park closure, conversion, and*
8 *change of use.*

9 (5) *Relocatability of resident-owned mobilehome*
10 *structures in mobilehome parks subject to closure,*
11 *conversion, or change of use.*

12 (6) *Mobilehome parks as an affordable housing*
13 *resource.*

14 (7) *A review of alternatives and options that would*
15 *assist mobilehome park owners in the relocation of*
16 *displaced mobilehome park tenants.*

17 (b) *Notwithstanding Section 7550.5 of the*
18 *Government Code, the department shall prepare and*
19 *submit to the Legislature by July 1, 2000, a report on the*
20 *results of its study pursuant to this act.*

21 ~~Code is amended to read:~~

22 ~~65863.7. (a) Prior to the conversion of a mobilehome~~
23 ~~park to another use, except pursuant to the Subdivision~~
24 ~~Map Act (Division 2 (commencing with Section 66410) of~~
25 ~~Title 7), or prior to closure of a mobilehome park or~~
26 ~~cessation of use of the land as a mobilehome park, the~~
27 ~~person or entity proposing the change in use shall file a~~
28 ~~report on the impact of the conversion, closure, or~~
29 ~~cessation of use upon the displaced residents of the~~
30 ~~mobilehome park to be converted or closed. In~~
31 ~~determining the impact of the conversion, closure, or~~
32 ~~cessation of use on displaced mobilehome park residents,~~
33 ~~the report shall address the availability of adequate~~
34 ~~replacement housing in mobilehome parks and~~
35 ~~relocation costs.~~

36 ~~(b) The person proposing the change in use shall~~
37 ~~provide a copy of the report to a resident of each~~
38 ~~mobilehome in the mobilehome park at least 15 days prior~~
39 ~~to the hearing, if any, on the impact report by the advisory~~

1 agency, or if there is no advisory agency, by the legislative
2 body.

3 (e) When the impact report is filed prior to the
4 conversion, closure, or cessation of use, the person or
5 entity proposing the change shall provide a copy of the
6 report to a resident of each mobilehome in the
7 mobilehome park at the same time as the notice of the
8 change is provided to the residents pursuant to paragraph
9 (2) of subdivision (f) of Section 798.56 of the Civil Code.

10 (d) When the impact report is filed prior to the
11 conversion, closure, or cessation of use, the person or
12 entity filing the report or park resident may request, and
13 shall have a right to, a hearing before the legislative body
14 on the sufficiency of the report.

15 (e) The legislative body, or its delegated advisory
16 agency, shall review the report, prior to any change of
17 use, and shall require, as a condition of the change, the
18 person or entity to take steps to mitigate any adverse
19 impact of the conversion, closure, or cessation of use on
20 the ability of displaced mobilehome park residents to find
21 adequate housing in a mobilehome park. The steps
22 required to be taken to mitigate shall not exceed the
23 reasonable costs of relocation. As used in this section, the
24 reasonable costs of relocation may include the lesser cost
25 of the following, as determined by the legislative body or
26 its delegated advisory agency:

27 (1) Where another mobilehome park can be found to
28 relocate a displaced mobilehome within 10 miles of the
29 park subject to conversion, closure, or cessation of use, the
30 cost of relocating a displaced park resident's mobilehome,
31 accessories, and possessions to a comparable mobilehome
32 space in another park within 10 miles, including removal,
33 transportation, and reinstallation of the mobilehome and
34 accessories at the new site, indemnification for any
35 damage to personal property of the resident caused by
36 the relocation, reasonable living expenses of displaced
37 park residents from the date of actual displacement until
38 the date of occupancy at the new site, payment of any
39 security deposit required at the new site and the
40 difference between the rent paid in the existing park and

1 any higher rent at the new site for the first 12 months of
2 the relocated tenancy.

3 (2) The cost of purchasing a mobilehome of a
4 displaced mobilehome owner at a value to be determined
5 by the legislative body or its delegated advisory agency.
6 Where the mobilehome cannot be relocated due to age
7 or condition, as determined by the local legislative body
8 or advisory agency, this paragraph may apply.

9 (f) If the closure or cessation of use of a mobilehome
10 park results from an adjudication of bankruptcy, the
11 provisions of this section shall not be applicable.

12 (g) The legislative body may establish reasonable fees
13 pursuant to Section 66016 to cover any costs incurred by
14 the local agency in implementing this section and Section
15 65863.8. Those fees shall be paid by the person or entity
16 proposing the change in use.

17 (h) This section is applicable to charter cities.

18 (i) This section is applicable when the closure,
19 cessation, or change of use is the result of a decision by a
20 local governmental entity or planning agency not to
21 renew a conditional use permit or zoning variance under
22 which the mobilehome park has operated, or as a result
23 of any other zoning or planning decision, action, or
24 inaction. In this case, the local governmental agency is the
25 person proposing the change in use for the purposes of
26 preparing the impact report required by this section and
27 is required to take steps to mitigate the adverse impact of
28 the change as may be required in subdivision (e).

29 SEC. 2. Notwithstanding Section 17610 of the
30 Government Code, if the Commission on State Mandates
31 determines that this act contains costs mandated by the
32 state, reimbursement to local agencies and school
33 districts for those costs shall be made pursuant to Part 7
34 (commencing with Section 17500) of Division 4 of Title
35 2 of the Government Code. If the statewide cost of the
36 claim for reimbursement does not exceed one million
37 dollars (\$1,000,000), reimbursement shall be made from
38 the State Mandates Claims Fund.